

## Message Text

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ACTION EB-07

INFO OCT-01 AF-06 ARA-06 EA-06 EUR-12 NEA-10 IO-10 FEA-01

AGR-05 CEA-01 CIAE-00 COME-00 DODE-00 FRB-03 H-02

INR-07 INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01 AID-05

CIEP-01 SS-15 STR-04 TAR-01 TRSE-00 USIA-06 PRS-01

SP-02 OMB-01 XMB-02 ISO-00 /133 W

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FM AMEMBASSY TOKYO

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INFO USMISSION GENEVA

LIMITED OFFICIAL USE TOKYO 9235

E.O. 11652 N/A

TAGS: EFIN, JA

SUBJECT: GATT BALANCE OF PAYMENTS COMMITTEE

REF: A. STATE 152338; B. GENEVA 4986

SUMMARY: EMBOFFS HAVE DISCUSSED WITH FINMIN AND FONOFF OFFICIALS NEED TO MAINTAIN MOMENTUM OF REVIEW OF EXSITING GATT BOP CONSULTATIONS PROCEDURES BY FORWARDING LIST OF MEANINGFUL QUESTIONS TO GATT COUNCIL. JAPANESE SUPPORT REVIEW OF CONSULTATION PROCESS WITHIN CONTEXT OF MTN BUT TAKE A NEGATIVE ATTITUDE TOWARD GATT BOP COMMITTEE AS FORUM FOR GENERAL REVIEW OF BOP PROCEDURES. EMD SUMMARY.

1. ASST FINATT DISCUSSED NEED TO MAINTAIN FORWARD PROGRESS ON REVIEW OF EXISTING GATT BOP CONSULTATION PROCEDURES WITH MOF DEP DIR, FIRST INTERNATIONAL DIV (DOI) ON JULY 2. COMPLEMENTARY NATURE OF BOP COMMITTEE EXAMINATION OF ITS ROLE AND PROCEDURES WITH MORE SPECIFIC DISCUSSION IN MTN WAS STRESSED. IN PARTICULAR ASST FINATT LIMITED OFFICIAL USE  
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URGED JAPANESE TO SUPPORT INCLUSION OF QUESTIONS WITH BOP COMITTEE REVIEW WHICH WAS TO BE FORWARDED TO GATT COUNCIL AT JULY 4 MEETING.

2. RESPONSE OF DEP DIR THAT WHILE GOJ SEES A NEED FOR REVIEW OF EXISTING GATT BOP CONSULTATIONS PROCESS, THE REVIEW SHOULD BE CONDUCTED IN CONTEXT ON MTN. GOJ DOES NOT WANT TO EXPAND ROLE OF GATT BOP COMMITTEE BEYOND CURRENT POLICY OF REVIEWING RECENT ACTIONS BY MEMBER COUNTRIES. DOI DID AGREE TO INFORM GENEVA REP OF OUR COMMENTS BUT DISPLAYED NO INTERESTS IN RAISING ISSUE TO CONSULTATION PROCEDURES BY ATTACHING QUESTIONS OR COMMENTS TO SECRETARIAT'S SURVEY.

3. IN SUBSEQUENT ELABORATION, FONFF REP (HAYASHI, DEP DIR OF FIRST INTERNATIONAL ORGANIZATIONS DIV, ECONOMIC AFFAIRS BUR) SAID THAT WHILE GOJ COULD ACCEPT SOME REVIEW OF BOP COMMITTEE'S PROCEDURES, IT IS PARTICULARLY CONCERNED THAT BOP COMMITTEE PROCEEDINGS NOT GIVE IMPETUS TO CHANGES IN GATT ARTICLES THEMSELVES, WHICH SHOULD ONLY BE NEGOTIATED IN MTN. FYI: HAYASHI SAID GOJ FEARS OPENING GATT ARTICLES TO MODIFICATION WOULD INEVITABLY RESULT IN PROVISIONS LEGALIZING AND MAKING PERMANENT DIFFERENTIAL TREATMENT OF LDC'S. END FYI. ON SUBSTANCE, HAYASHI SAID GOJ WOULD FAVOR UNIFORM NOTIFICATION OF BOP RESTRICTIONS AND SOME FORM OF FOLLOW-UP NOTIFICATION AFTER BOP JUSTIFICATION CEASES TO EXIST; WOULD ALSO WELCOME SECRETARIAT PREPARATION OF DOCUMENTATION TO SUPPLEMENT THAT PREPARED BY CONSULTING COUNTRY. NON-UNIFORM PROCEDURES AS BETWEEN (A) WP'S BOP COMMITTEE, (B) WAIVERS AND AGREED CONCLUSIONS, DO NOT BOTHER GOJ, HE SAID. IN CASE (A) MEASURES TAKEN BY MAJOR COUNTRY SUCH AS JAPAN OR U.S. MIGHT CALL FOR PRIORITY FORMATION OF WP WHILE OTHERS COULD BE HANDLING ROUTINELY BY BOP COMMITTEE. IN CASE (B) THERE MAY BE INSTANCES WHEN AGREED CONCLUSIONS WOULD BE MORE EFFECTIVE IN BRINGING EARLY TERMINATION OF MEASURES THAN WOULD WAIVERS WHICH MAY CONFER LEGITIMACY AND TEND TO BE PERPETUATED. HAYASHI CONCLUDED BY SAYING HE DID NOT BELIEVE U.S. AND JAPAN DIFFERED SERIOUSLY ON SUBSTANCE CONCERNED BUT HAD VARYING ASSESSMENTS OF BEST WAY TO ACHIEVE IT.

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**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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